

Remarks

Objections to the Drawings

The Examiner has objected to the drawings because of inconsistent terminology used between the specification and the drawings. The applicant has amended Figure 2 and Figure 3 to replace the term "K DATA", associated with element 214 in Figure 2 and element 316 in Figure 3, with the term "K PLANE". Included with this response are corrected drawing sheets for Figure 2 and Figure 3, with each labeled as a replacement sheet. Therefore, the Applicants respectfully submit that the objections to the drawings have been overcome and request withdrawal of the objections to the drawings.

Rejections Under 35 U.S.C. § 112

The Examiner has rejected claims 14-17, 25, and 27 as failing to comply with the enablement requirement. To overcome the rejection the Applicants have amended claims 14, 15, and 25 to remove the limitations of "FX decompressor" and canceled claims 16, 17, and 27. Accordingly, the Applicants respectfully request withdrawal of the rejections of claims 14-17, 25, and 27 under 35 U.S.C. § 112. Support for the additions made to the amended claim 15 can be found in the claims 12-13, and 15 of the originally filed application as well as various places in the written description of the originally filed application.

Rejections Under 35 U.S.C. § 103

The Examiner has rejected claims 1-13 and 18-24, and 26 under 35 U.S.C. § 103 (a) as obvious in view of various combinations of U.S. patent number 6,204,933 issued to Yoshino et al (hereinafter referred to as Yoshino), U.S. patent 6,903,830 issued to Hane et al (hereinafter referred to as Hane), published U.S. application 2002/0054344 naming Tateyama as an inventor (hereinafter referred to as Tateyama), U.S. patent 6,401,143 issued to Lupien et al (hereinafter referred to as Lupien), published U.S. application 2004/0042046 naming Lapstun et al as inventors (hereinafter referred to as Lapstun, and U.S.

patent number 6,870,638 issued to Shibuya et al (hereinafter referred to as Shibuya.

Rejections of Claims 1-13 Under 35 U.S.C. § 103(a)

To overcome the Examiner's rejection of claim 1, the applicants have amended claim 1 to include the limitations of "a merging device configured to combine decompressed K plane data, including a first plurality of data elements, and a K plane, including a second plurality of data elements, **by selecting a largest of corresponding ones of the first plurality of the data elements and the second plurality of the data elements**" to generate a third plurality of data elements". (emphasis added) Support for these amendments can be found in the claims 12-14 of the originally filed application as well as various places in the written description of the originally filed application. The Applicants respectfully submit that the sections of the references relied upon by the Examiner in making the rejections of claims 1-13 do not teach or suggest the limitations of the amended claim 1.

For example, in making the rejections of claims 12 and 13, the Examiner seems to be relying upon the teachings of Figure 18 of Lapstun (as indicated on pages 7-8 of the office action), such as step 17 reciting "composite bi-level data". Additionally, paragraphs 0467-0474 of Lapstun disclose a "compositing model". In particular, paragraphs 0469-0474 seem to disclose rules for the "compositing model". These paragraphs do not appear to teach or suggest the limitations of the amended claim 1 of "combine decompressed K plane data, including a first plurality of data elements, and a K plane, including a second plurality of data elements, by selecting a largest of corresponding ones of the first plurality of the data elements and the second plurality of the data elements". (emphasis added)

Therefore, the Applicants respectfully contend that a valid prima facie obviousness rejection of the amended claim 1 is not present because the sections of the references cited in making the rejections of claims 1-13 do not teach or suggest all the limitations of the amended claim 1. Because claims 2-11 are dependent upon the amended claim 1, either directly or indirectly, and

include all the limitations of the amended claim 1, a valid prima facie obvious rejection of claims 2-11 is not present for at least this reason. Accordingly, the Applicants respectfully request withdrawal of the rejections of claims 1-11 under 35 U.S.C. § 103(a). Claims 12 and 13 have been canceled, rendering the rejections of these claims moot.

Rejections of Claims 18-21 Under 35 U.S.C. § 103(a)

To overcome the Examiner's rejection of claim 18, the Applicants have amended claim 18 to include the limitations of "combining the K plane and the decompressed K plane data **by selecting a largest of corresponding ones of the first plurality of the data elements and the second plurality of the data elements** to generate a third plurality of data elements". (emphasis added) Support for these amendments can be found in the claims 12-14 of the originally filed application as well as various places in the written description of the originally filed application. The Applicants respectfully submit that the sections of the references relied upon by the Examiner in making the rejections of claims 18-21 do not teach or suggest the limitations of the amended claim 18.

The Examiner stated on page 5 of the office action that "Regarding claim 18, the structural elements of apparatus claim 1 perform all of the method steps of method claim 18. Therefore method claim 18 is rejected for the same reasons as stated in the rejection of apparatus claim 1." Likewise, for at least the reasons indicated by the Applicants regarding the non-obviousness of the amended claim 1 in view of the sections of the references relied upon by the Examiner in making the rejections of claims 1-13 under 35 U.S.C. § 103(a), the Applicants respectfully contend that a valid prima facie obviousness rejection of the amended claim 18 is not present.

Because claims 19 and 21 are dependent upon the amended claim 18, either directly or indirectly, and include all the limitations of the amended claim 18, a valid prima facie obvious rejection of claims 19 and 21 is not present for at least this reason. Claim 20 has been canceled rendering the rejections of this claim moot. Accordingly, the Applicants respectfully request withdrawal of the

rejections of claims 18-21 under 35 U.S. C. § 103(a).

Rejections of Claims 22-25 Under 35 U.S.C. § 103(a)

To overcome the Examiner's rejection of claim 22, the applicants have amended claim 22 to include the limitations of "a merging device configured to combine decompressed K plane data, including a first plurality of data elements, and the K plane, including a second plurality of data elements, **by selecting a largest of corresponding ones of the first plurality of the data elements and the second plurality of the data elements to generate a third plurality of data elements**". (emphasis added) The Applicants' representative was not able to locate disclosure in the sections of the references relied upon by the Examiner in making the rejection of claim 22 that teach or suggest the limitations of the amended claim 22. Therefore, the Applicants contend that a valid prima facie obviousness rejection of the amended claim 22 is not present. Because claims 23-25 are dependent upon the amended claim 22, either directly or indirectly, and include all the limitations of the amended claim 22, a valid prima facie obvious rejection of claims 23-25 is not present for at least this reason. Accordingly, the Applicants respectfully request withdrawal of the rejections of claims 22-25 under 35 U.S. C. § 103(a).

Rejections of Claim 26 Under 35 U.S.C. § 103(a)

To overcome the Examiner's rejection of claim 26, the applicants have amended claim 26 to include the limitations of "a merging device arranged to receive the decompressed K plane data, including a first plurality of data elements, and the K plane, including a second plurality of data elements, and configured to combine the decompressed K plane data and the K plane **to form a merged K plane by selecting a smallest, if greater than zero, between corresponding ones of the first plurality of the data elements and the second plurality of the data elements** to generate a third plurality of data elements included in the merged K plane". (emphasis added)

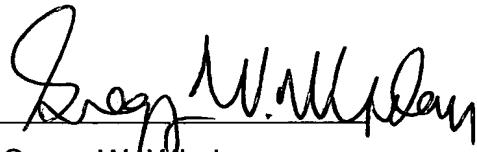
The Applicants respectfully contend that the sections of the references

relied upon by the Examiner in making the rejection of claim 26 do not teach or suggest the limitations of the amended claim 22. In particular, with respect to Lapstun, the Applicants respectfully contend that for at least the reasons indicated by the Applicants regarding the non-obviousness of the amended claim 1 in view of the sections of Lapstun relied upon by the Examiner in making the rejections of claims 12-13 under 35 U.S.C. § 103(a), the Applicants respectfully contend that a valid *prima facie* obviousness rejection of the amended claim 26 is not present. Accordingly, the Applicants respectfully request withdrawal of the rejections of claims 26 under 35 U.S. C. § 103(a).

Conclusion

The Applicants respectfully contend that the subject application is in a condition for allowance. Allowance is respectfully requested.

Respectfully submitted,
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